IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

Crl.Rev.Pet.No. 907 of 2000()

AGAINST THE JUDGMENT IN CRA.293/1998 of SESSIONS COURT, KOZHIKOE
CC.56/1996 of JUDL. MAGISTRATE OF FIRST CLASS-V, KOZHIKODE

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REVN. PETITIONER: APPELLANT/ ACCUSED

SADANANADAN, S/O.KUTTAPPU,
CHANDROTH HOUSE, MANNADAM VAYAL,
PANNIYANKARA AMSO DESOM.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: RESPONDENT/ COMPLAINANT

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1. **SUB INSPECTOR OF POLICE,**
   CITY TRAFFIC POLICE STATION,
   KOZHIKODE.

2. **STATE OF KERALA, REP.BY**
   PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 20 /06 / 2007 , THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.907 of 2000

DATED THIS THE 20th JUNE 2007

ORDER

The revision petitioner stands convicted for the offence under Section 279 and 337 I.P.C.and sentenced to undergo simple imprisonment for three months each for the offence under Section 279 and 337 IPC. He stands disqualified for driving stage carriage bus for a period of three months under Section 20 of the Motor Vehicles Act.

2. The prosecution case is that on 16-8-1995 at about 6 p.m.,the accused drove bus bearing Reg.No.KLZ 8879 along the Nallalam- Areecad Public road in a rash and negligent manner and the vehicle hit on the rear side of another bus having registration No. KLO-5974, which was going ahead.

3. The evidence adduced in the matter consisted of the testimony of Pws.1 to 9 andExts.P1 to P8. It is seen from Ext.P3 wound certificate that one of the passengers in the bus sustained injury, i.e. tenderness left upper arm and elbow. There was no external injury. Counsel for the revision petitioner has only sought for modification of sentence pointing out that the incident has taken place in 1995 and that more than 10 years have lapsed since the

commencement of the proceedings and the accused was facing the criminal proceedings so far.

In the circumstances and considering the minor nature of the injury sustained, the sentence is modified to a fine of Rs.1,000/- for the offence under Section 279 I.P.C. and in default to undergo simple imprisonment for 15 days and to pay a fine of Rs.500/- for the offence under Section 337 I.P.C. and in default to undergo simple imprisonment for 10 days. The direction disqualifying the driving licence is set aside. The Crl.revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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K.R.UDAYABHANU, J

CRL.R.P.NO.907 of 2000

ORDER

20-6-2007

ORDER ON CRL.M.P.NO. 4810 OF 2000 IN CRL.R.P.NO. 907 OF 2000-A

DISMISSED.

20-6-2007 SD/-K.R.UDAYABHANU, JUDGE

TRUE COPY

P.S.TO JUDGE